

Judge J. Richard Creatura

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$133,215.00 IN UNITED STATES
CURRENCY,

Defendant,

and

RODRIGO HERNANDEZ-SANCHEZ,

Third-Party Claimant.

CASE NO. C14-5329JRC

[PROPOSED] 

**ORDER GRANTING
PLAINTIFF'S MOTION
TO STRIKE AND FOR
SUMMARY JUDGMENT**

THIS MATTER having come before the Court on *Plaintiff's Motion to Strike and for Summary Judgment* in the above-entitled cause of action, and this Court having reviewed the *Motion*, any opposition and reply thereto, and the record herein, and being fully advised,

IT IS HEREBY ORDERED that the Plaintiff's *Motion to Strike* is GRANTED.
Claimant RODRIGO HERNANDEZ-SANCHEZ has abandoned his *Claim*.

IT IS FURTHER ORDERED that Plaintiff's *Motion for Summary Judgment* is
GRANTED. There is no genuine issue of material fact in this case because the Claimant

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U.S. v. \$133,215.00 in U.S. Currency (Case No. C14-5329JRC) - 1

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1 RODRIGO HERNANDEZ-SANCHEZ did not respond to the discovery requests
2 propounded on him by the Government, thereby leaving undisputed the facts necessary to
3 support a forfeiture judgment. The Government has established, by a preponderance of the
4 evidence, a nexus between criminal activity, conspiracy to distribute controlled substances,
5 and the Defendant Currency, of which the Claimant is not an "innocent owner." The
6 Defendant Currency is therefore forfeitable to the Government as proceeds of the distribution
7 of controlled substances. Therefore, the Government is entitled to judgment as a matter of
8 law. Accordingly,

9 IT IS HEREBY ORDERED that summary judgment is granted in favor of the
10 Plaintiff, forfeiting the Defendant Currency to the United States. The Government is
11 directed to file a proposed *Judgment of Forfeiture* within ten (10) days of the entry of this
12 Order.

13 DATED this 27th day of MAY, 2015.

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16 J. RICHARD CREATURA
17 UNITED STATES MAGISTRATE JUDGE

18 Presented by:

19 
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